

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

----- x
MARCIA SUTTON,

:
06 Civ. 4775 (ENV)

:
Plaintiff,

- against -

: **STIPULATION DISCONTINUING**
: **ACTION AGAINST ABBOTT**
: **LABORATORIES WITH**
: **PREJUDICE**

THE ABBOTT LABORATORIES, et al.,

:
Defendants. :
----- x

IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned, the attorneys of record for plaintiff Marcia Sutton and defendant Abbott Laboratories ("Abbott") in the above-entitled action, that whereas no party hereto is an infant, incompetent person for whom a committee has been appointed or conservatee and no person not a party has an interest in the subject matter of this action, the above-entitled action be, and the same hereby is discontinued with prejudice as against Abbott without costs to any party hereto as against the other. This stipulation may be filed without further notice with the Clerk of the Court.

Dated: New York, New York

May 21
April 21, 2010

MORELLI RATNER, P.C.

By: 

David S. Ratner (DR-7758)

Attorneys for Plaintiff

950 Third Avenue

New York, New York 10022

Telephone: (212) 751-9800

SO ORDERED:

LITTLETON JOYCE UGHETTA
PARK & KELLY LLP

By: 

Robert D. Wilson, Jr. (RW-4357)

Attorneys for Defendant

Abbott Laboratories

One Manhattanville Road, Suite 302

Purchase, New York 10577

Telephone: (914) 417-3400

HON. ERIC N. VITALIANO